

## Remarks

In rejecting the previously presented claims of the application, the Examiner relied heavily on the disclosure of the primary reference by Delhi (United States Patent No. 5,638,156). In relation to amended claim 1 and the differences between it and the Delhi reference, the invention of Delhi is distinguishable on the basis that the Delhi device and method require the deletion of  $n-1$  regions of each cell of each base image from the image (where  $n$  is the number of base images to be merged). The method taught in Delhi achieves this by masking the regions using the apparatus. According to the method of amended claim 1, each of the base images are divided according to the template whereas according to Delhi, each base image is simply divided in a binary manner, into the portion that is masked and a portion that is not.

This distinction is not rendered obvious by Atkinson. Atkinson in essence teaches the same method for manufacturing a mosaic image as that taught in Delhi (column 5, line 67 to column 6, line 42).

In addition, neither Delhi nor Atkinson perform step (d) of amended claim 1, namely "applying the pattern to each base image to divide each base image into a plurality of cells each having  $n$  regions". Delhi does not perform this step as the Delhi device simply masks  $n-1$  regions of each cell of a base image without division of the cells at all.

The Examiner relies on Silvers for a teaching of image mosaics and their manipulation on a computer. Silvers, however, teaches mosaics in which regions of a mosaic template are filled with complete images, and not portions of an image. In addition to this, the claimed method applies the same pattern to each of the base images and the merged image template, whereas Silvers does not. The Silvers reference teaches that the target image is divided into a plurality of cells having a number of regions and not the base or source images.

Therefore, it is respectfully submitted the combination of the three documents, Delhi, Atkinson and Silvers, does not achieve the claimed method.

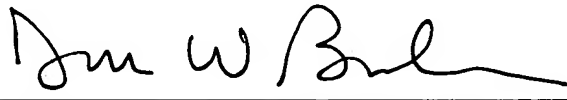
Regarding the Examiner's reliance on computer programs such as Photoshop as well known programs that are capable of forming a mosaic similar to that produced according to the method of the present invention, the Examiner admits on page 15 of the Office Action that programs such as Photoshop merely mask the unwanted portion of the base image, without dividing the cells into  $n$  regions. Indeed, of the many prior art documents raised by the Examiner in the Office Action, none teach a division and

the merging of selected portions of a plurality of base images according to amended claim 1, and therefore it is submitted that a person skilled in the art has no suggestion in the citations to pursue the method of the present invention.

In view of the foregoing, request is made for timely issuance of a notice of allowance.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

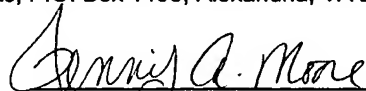
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**CERTIFICATION OF MAILING**

I hereby certify that this paper (along with any paper or item referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 28, 2005

  
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